

Official Proceedings

May 1, 2007
8:00 am

Chairman Duane Wolf called the meeting of the Stark County Board of Commissioners to order. All members present.

Chairman Wolf asked for any additions to the agenda. Comm. Nodland added zoning board request. Chairman Wolf added weed board and Dakota Women's Correctional pending lawsuit. Alice Schulz, Auditor, added SCAT meeting, Decker's 2nd Sub-Division and courthouse water damage. Comm. Nodland moved to approve the agenda as amended. Comm. Willer seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Zander moved to approve the minutes from the April 3, 2007, meeting as presented, with one spelling change. Comm. Nodland seconded. All voted Aye and the motion carried.

Comm. Nodland moved to accept the accounts payable and supplement as presented. Comm. Willer seconded. Roll call vote. All voted Aye and the motion carried.

Gary Kostelecky, Emergency Management, presented a mutual aid agreement with Adams County. Including this agreement all eleven counties have signed a mutual aid agreement. Gary also reported he is working on arranging to have shelter agreements in place with local agencies in case of a tragedy.

Sheriff Clarence Tuhy reported that Archonix is installing computer software. Discussion was held on policing contracts with the small cities.

Alice Schulz, Auditor, presented the annual engineering agreement with Kadrmas, Lee & Jackson. No action taken until Tom Henning, States Attorney, reviews agreement.

Comm. Nodland moved to authorize the Chairman sign the resolution awarding the bid to Asphalt Surface Technologies Corporation for Stark County Road Projects #SC-4510(058), SC-4511(056), and SU-5-983(034)034. Comm. Hoff seconded. All voted Aye and the motion carried.

Comm. Nodland moved to approve the contract with Vanguard Appraisals on the Red Trail Ethanol Plant, subject to review and approval by Tom Henning, States Attorney. Comm. Zander seconded. All voted Aye and the motion carried.

Diane Brines, Tax Director, presented comparable sales on two tracts in State Addition. Tract one which is 30 acres zoned public use, and tract two which is 38 acres zoned commercial. Discussion was held. Comm. Nodland moved to set land up for a public auction at next meeting, and set the minimum price on the 38 acre tract at \$1.00 per square foot and at \$.75 per square foot on the 30 acre tract, bidders would need to provide a proposed plan for development. Comm. Willer seconded. Roll call vote. All voted Aye and the motion carried. The Board directed Alice Schulz, Auditor, to set the Public Auction for 10:00AM on June 5, 2007. Notices should be posted on the Stark County webpage, and published in The Dickinson Press and Builders Exchange.

Tom Henning, States Attorney, reported he looked over the Kadrmas, Lee & Jackson engineering agreement, and the agreement doesn't limit Stark County to only using Kadrmas, Lee & Jackson for engineering services.

Al Heiser, Road Superintendent, gave an update on road projects, and reported that there are sub-divisions with needed repair on streets. We can't let them go or bigger problems arise. Comm. Nodland reported that the County Road Fund can't afford to repair the streets; we may need to do special assessments. Discussion was held. It was the consensus of the Board to find out what the process is to implement special assessments and look at doing one sub-division at a time.

Al Heiser also requested purchasing a new mower for the courthouse. Comm. Willer moved to authorize the Road Superintendent to purchase a John Deere mower. Comm. Nodland seconded. Comm. Nodland Aye. Comm Hoff Aye. Comm. Willer Aye. Comm. Zander Nye. Chairman Wolf Aye. The motion carried.

Abbot Brian Wrangler, Old Red Trail Committee, reported that another step to declaring Highway 10 a Scenic Byway is a letter of endorsement from the roadway jurisdiction which should address items of safety, maintenance, roadside amenities, roadway data, convenience, and signing. Comm. Nodland moved to have Al Heiser, Road Superintendent, do a study of the Old Red Trail and come back to a future meeting with a recommendation. Comm. Willer seconded. All voted Aye and the motion carried.

Tim Kelly, Kadrmas, Lee & Jackson, gave the engineers report. Discussion was held on plans for the North Truck Route. The project needs to be a joint city and county project. Funds to do a City of Dickinson Land Use & Transportation Plan, which would include the urban limits of Dickinson would be available from the NDDOT at an 80-20 match. It was the consensus of the Board to continue pursuing the project.

Ray Zempel, Northern Improvement, requested a reduction in lease price for the 20 acres being leased for storage. Comm. Nodland moved to renew the lease for 2007 at \$500.00 per acre. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

Alice Schulz, Auditor, reported that a Census Workshop will be held on May 24, 2007 at the Dickinson Public Library at 9:00 AM to explain county government involvement in the census that will be done in 2010.

Chad Maier, US Fish & Wildlife Service, wished to clarify any information on the water impoundment and embankment project on Mike Wolf's property located in NE4NE4 of Section 18-139-95 and NW4NW4 of Section 17-139-95. It was the consensus of the Board to have Chad Maier meet with Tom Henning and Al Heiser to discuss the project in detail.

Greg Ficek, Kadrmas, Lee & Jackson, representing the City of Dickinson, requested a temporary easement for stockpiling topsoil and spreading waste dirt from the Fairway Street Water & Sewer Main Project. Comm. Nodland moved to grant the City of Dickinson the easement and to include the date of project completion in the easement. Comm. Zander seconded. All voted Aye and the motion carried.

Comm. Nodland presented a recommendation from the Zoning Board to change zoning from agriculture to resident/agriculture on a tract of land owned by Mike & Diana Obrigewitch. Comm. Nodland moved to approve the request to change zoning from agriculture to resident/agriculture on a 4.02 acre tract in SE4SW4 of Section 21-140-99. Comm. Willer seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Nodland reported that the Zoning Board would like to change the meeting date and time to the Monday before a commissioners meeting at 4:00 PM. The Zoning Board would like to spend up to \$200.00 and have Rod Landblom visit with Tom Henning to review zoning ordinances and

then have Mr. Landblom review with Zoning Board. It was the consensus of the Board to change the meeting date and time and review zoning ordinances.

Tom Henning, States Attorney, reported that last year when the front of the courthouse was being washed, water leaked in and did damage amounting to about \$6,000.00. Fire and Tornado refused the claim and it is being resubmitted to American Insurance. Comm. Zander suggested letting the contractor know, as he may need to notify his insurance.

The board recessed for the Stark County Park Board meeting.

The board reconvened.

Alice Schulz, Auditor, reported that at the last SCAT meeting an employee appreciation picnic was planned for August 1, 2007. Other issues discussed were ideas for recognition and awards for years of service, a county newsletter, and a county logo.

Chairman Wolf gave the Weed Board report. The Weed Board is considering certifying our pits as weed free, so materials leaving our pits could be delivered certified. It was the consensus of the Board to contact other counties to find out the process involved to making our material pits certified weed free.

Chairman Wolf gave an update on the pending lawsuit at Dakota Women's Correctional & Rehabilitation Facility.

Alice Schulz, Auditor, reported that Martin Decker dedicated Lot 5, Block 1, Decker 2nd Sub-division in 1975 for a park. He has been taking care of the lot for all these years, but now no longer lives there and was wondering who's responsible for maintenance and liability. It was the consensus of the Board to have Al Heiser, Road Superintendent, add it to the list of county properties the road department takes care of.

Comm. Nodland moved to approve the annual engineering agreement with Kadrmas, Lee & Jackson. Comm. Zander seconded. All voted Aye and the motion carried.

Comm. Zander moved to adjourn meeting. Comm. Hoff seconded.

Alice Schulz, Auditor

Duane A. Wolf, Chairman